

Message Text

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PAGE 01 BONN 14874 121543Z
ACTION EUR-12

INFO OCT-01 ISO-00 L-03 PRS-01 SS-15 SP-02 CIAE-00

INR-07 NSAE-00 /041 W

-----061032 122256Z /66

R 121531Z SEP 77

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1338

INFO AMEMBASSY BERLIN

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

USMISSION USBERLIN

USMISSION NATO

C O N F I D E N T I A L BONN 14874

E.O. 11652: GDS

TAGS: PGOV, BQG

SUBJECT: FRG ACCEPTS ALLIED PROPOSALS ON CONDUCT OF
LORENZ TRIAL

REFS: (A) BONN 14802; (B) BONN 14767 AND PREVIOUS;
(C) USBER 2350

1. FRG BONN GROUP REP (VON BRAUNMUEHL) INFORMED US
SEPTEMBER 9 THAT JUSTICE MINISTER VOGEL RESPONDED BY
LETTER DATED SEPTEMBER 8 TO THE LETTER SENT BY MINISTER
OF STATE WISCHNEWSKI ON AUGUST 29. IN HIS LETTER, THE
CONTENTS OF WHICH VON BRAUNMUEHL READ TO US (HE WAS
NOT AUTHORIZED TO PROVIDE A COPY), VOGEL STATES THAT HE
HAS EXAMINED THE ALLIED WISHES REGARDING THE CONDUCT OF
THE LORENZ TRIAL AND AGREES THAT OBERLE WILL BE
APPOINTED TO HEAD THE PROSECUTION TEAM. THE OTHER THREE
KARLSRUHE ATTORNEYS (VOELZ, WIDERA, JAEKEL) WILL ASSIST
OBERLE, WHO WILL CONDUCT AT LEAST SEVERAL OF THE MOST
IMPORTANT SESSIONS. FURTHERMORE, THE FEDERAL PROSECUTOR
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WILL "WITH IMMEDIATE EFFECT" CHARGE VOELZ, WHO IS FROM
BERLIN AND HAS HIS DOMICILE THERE, WITH THE CONDUCT OF
THE CASE FROM NOW UNTIL THE INDICTMENT IS HANDED DOWN.
VOELZ WILL MOVE TO THE BERLIN OFFICE FOR THIS PURPOSE.
VOELZ WILL ALSO BE RESPONSIBLE FOR ALL WRITTEN EXCHANGES
WITH THE COURT DURING THE TRIAL AND ALL CORRESPONDENCE
WILL BE UNDER THE ADDRESS OF THE BERLIN OFFICE.

2. REGARDING PUBLIC STATEMENTS ON THE TRIAL, ALL SUCH STATEMENTS TO BE MADE BY THE PROSECUTION WILL BE MADE IN BERLIN, NOT IN KARLSRUHE. THE VOGEL LETTER ALSO SAID THERE IS NO OBJECTION TO THE CONTENT OF THE PRESS STATEMENT TO BE ISSUED BY THE FRG. THE LETTER NOTES THAT THE MINISTRY OF JUSTICE (MOJ) HAS NOT BEEN INFORMED OF ALLIED WISHES AS TO WHEN THIS STATEMENT SHOULD BE ISSUED AND THE MOJ WILL WAIT TO BE INFORMED BY THE FOREIGN OFFICE.
THE MOJ WILL NOT ISSUE IT ON ITS OWN INITIATIVE.

3. IN RESPONSE TO QUESTIONS, VON BRAUNMUEHL SAID THAT WIDERA AND JAEKEL WILL TAKE PART ONLY IN THE TRIAL ITSELF, NOT IN THE PRELIMINARY PROCEEDINGS, AND THAT THE BONN GROUP WILL BE INFORMED ON A TIMELY BASIS ABOUT THEIR MOVE TO BERLIN. VON BRAUNMUEHL ALSO SAID THAT THE FRG WOULD PREFER TO WAIT FOR A WHILE TO HAVE THE ALLIED AND FRG PRESS STATEMENTS ISSUED SO THAT THE PRESS WILL NOT SEE A CONNECTION BETWEEN THIS DEVELOPMENT AND THE SCHLEYER KIDNAPPING.

4. THE ALLIED BONN GROUP REPS EXPRESSED GRATITUDE FOR THE FOREIGN OFFICE'S EFFORTS AND RICHARD SAID THAT THE QUAI WOULD BE VERY PLEASED BY THIS DEVELOPMENT.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENTS, POLITICAL TRIALS, COURT PROCEEDINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 12-Sep-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BONN14874
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770330-0585
Format: TEL
From: BONN
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770976/aaaacwlf.tel
Line Count: 94
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 921a8648-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 BONN 14802, 77 BONN 14767, 77 USBERLIN 2350
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 15-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1313446
Secure: OPEN
Status: NATIVE
Subject: FRG ACCEPTS ALLIED PROPOSALS ON CONDUCT OF LORENZ TRIAL
TAGS: PGOV, GE, US, BQG, (LORENZ, PETER)
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/921a8648-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009